



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
United States of America,	:	
	:	
-v-	:	15-cr-619 (AJN)
	:	
Ramel Bain,	:	<u>ORDER</u>
	:	
Defendant.	:	
	:	
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ALISON J. NATHAN, United States District Judge:

A proceeding on alleged violations of supervised release is currently scheduled for December 14, 2020 at 2 p.m. Dkt. No. 77. The parties have indicated that they intend to proceed to sentencing on one specification to which Mr. Bain has already pleaded guilty, though they are not prepared to resolve the remaining specifications. Dkt. No. 83. In light of the COVID public health crisis, there are significant safety issues related to in-court proceedings. If the Defendant is willing to waive his physical presence, this proceeding will be conducted remotely. To that end, defense counsel shall confer with the Defendant regarding waiving his physical presence and provide the attached waiver form to him. If the Defendant consents and is able to sign the form (either personally or, in accordance with Standing Order 20-MC-174 of March 27, 2020, by defense counsel), defense counsel shall file the executed form **at least 24 hours prior to the proceeding**. In the event the Defendant consents, but counsel is unable to obtain or affix the Defendant's signature on the form, the Court will conduct an inquiry at the outset of the proceeding to determine whether it is appropriate for the Court to add the Defendant's signature to the form.

SO ORDERED.

A handwritten signature in black ink, appearing to read "Alison J. Nathan", with a stylized flourish at the end.

Dated: December 8, 2020
New York, New York

ALISON J. NATHAN
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v-

RAMEL BAIN,

Defendant.

-----X

**WAIVER OF RIGHT TO BE
PRESENT AT CRIMINAL
PROCEEDING**

15-CR-619 (AJN)

Check Proceedings that Apply

____ Sentencing

I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York at the time of my sentence and to speak directly in that courtroom to the judge who will sentence me. I am also aware that the public health emergency created by the COVID-19 pandemic has interfered with travel and restricted access to the federal courthouse. I do not wish to wait until the end of this emergency to be sentenced. I have discussed these issues with my attorney and willingly give up my right to be present, at the time my sentence is imposed, in the courtroom with my attorney and the judge who will impose that sentence. By signing this document, I wish to advise the court that I willingly give up my right to appear in a courtroom in the Southern District of New York for my sentencing proceeding as well as my right to have my attorney next to me at the time of sentencing on the following conditions. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf at the proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Date:

Print Name

Signature of Defendant

I hereby affirm that I am aware of my obligation to discuss with my client the specifications of violation of supervised release, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver form. I affirm that my client knowingly and voluntarily consents to the proceedings being held with my client and me both participating remotely.

Date:

Print Name

Signature of Defense Counsel

Accepted:

Signature of Judge
Date: